Elections Saskatchewan

Saskatoon Fairview By-Election - June 28, 1999

SASKATCHEWAN

101-04712/

OFFICE OF THE
CHIEF ELECTORAL OFFICER

April 2, 2001

The Honourable P. Myron Kowalsky
Speaker of the Legislative Assembly
129 Legislative Building
Regina, Saskatchewan
S4S 0B3

Honourable Speaker:

Pursuant to section 286 of *The Election Act, 1996*, I am honoured to submit the Report of the Chief Electoral Officer for the by-election held on June 28, 1999, in the provincial constituency of Saskatoon Fairview.

The Report presents by-election financial activities by registered political party and candidate. This Report also provides an overview of election administration and official voting results by polling division. Also included is summary data for election related expenditures of Elections Saskatchewan.

Respectfully submitted,

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Call of By-Election

Pursuant to subsection 35(b) of *The Legislative Assembly and Executive Council Act,* Mr. Bob Mitchell, New Democratic Party, Sask. Section, vacated his seat in the constituency of Saskatoon Fairview on January 18, 1999. On May 31, 1999, pursuant to an Order of the Lieutenant Governor in Council, a Writ of Election was issued by the Chief Electoral Officer to Ms. Colette Schreiner-Steernberg, constituency returning officer. The Writ ordered that the by-election be held on Monday, June 28, 1999. An Election Calendar for the Saskatoon Fairview by-election is included on the last page of the Official Report.

Prior to the June 28, 1999 by-election, standing in the Legislative Assembly included: 40 New Democrat, 8 Saskatchewan Party, 5 Liberal, 2 Independent and 3 vacant.

Constituency Boundaries

The Saskatoon Fairview constituency boundary was enacted in 1994 under *The Representation Act, 1994*, on the recommendation of the Constituency Boundaries Commission, 1993, as established under *The Constituency Boundaries Act, 1993.* Polling divisions for purposes of the Saskatoon Fairview by-election included thirty-one (31) regular polls and one (1) personal care facility. The Saskatoon Fairview constituency polling subdivision map and Directory of Communities are set out in Appendices I and V, respectively.

Registered Political Party and Candidate Nomination

At the time of the Saskatoon Fairview by-election, the Office recognized the existence of six (6) political parties in the Register of Political Parties, as maintained pursuant to section 231 of *The Election Act, 1996* (the "Act"). On June 12, 1999, nomination of candidates concluded. At close of nomination, only four (4) of the Province's registered political parties nominated candidates, as follows:

Candidate	Registered Political Party[1]	Abbreviation
Chris Axworthy	New Democratic Party, Sask. Section	New Democratic Party (N.D.P.)
Neil Sinclair	New Green Alliance	New Green Alliance (NGA)
Barry Anderson	Saskatchewan Liberal Association	Liberal
Harry Meyers	The Saskatchewan Party	The Saskatchewan Party

Each of the registered political parties' chief official agents and candidate business managers for the by-election were as follows:

Registered Political Party	Chief Official Agent
New Democratic Party, Sask. Section	Steven Bobiash
New Green Alliance	Kelly Wolfe

[1] The following Saskatoon Fairview By-Election Appendices abbreviate the names of the Province's registered political parties as follows: New Democratic Party, Sask. Section - N.D.P.; New Green Alliance - NGA; Saskatchewan Liberal Association - L.; The Saskatchewan Party - Sask.

Saskatchewan Liberal Association	F. William Johnson
The Saskatchewan Party	Donald Morgan
Candidate	**Business Manager**
Chris Axworthy (N.D.P.)	Doris Dick
Neil Sinclair (NGA)	Jan Norris
Barry Anderson (L.)	Renée Treppel
Harry Meyers (Sask.)	W. John Brennan

Enumeration

From the 31st of May through to the 9th of June, enumeration of eligible electors was conducted for the constituency's thirty-two (32) polling divisions. Pursuant to section 26 of the Act, constituency enumerators sat on June 24, 1999 to make necessary revisions to the voters' lists. As a result of these efforts, 9,091 Saskatoon Fairview residents were declared eligible to vote, as established on the revised voters' list. In addition, pursuant to section 68 of the Act, eligible electors not included on the revised voters' list were entitled to vote by declaration.

Polling

To facilitate the electorate's participation in the Saskatoon Fairview by-election, an advance poll was conducted on the 22nd, 23rd, 24th, 25th and 26th of June. Regular polling stations were open from 9:00 a.m. to 8:00 p.m. CST on June 28, 1999, enabling the constituency's 9,091 eligible voters the opportunity to exercise their democratic franchise. Eligible voters unable to attend either a regular or advance poll were entitled to vote by absentee ballot.

Electoral Results

Unofficial electoral results were announced on the evening of June 28, 1999, resulting in Mr. Chris Axworthy, New Democrat, being declared member elect. Deposits were forfeited by the Liberal, New Green Alliance and Saskatchewan Party candidates, pursuant to section 47 of the Act, for not obtaining at least one half of the total number of valid votes cast for the candidate elected.

On July 10, 1999, the constituency returning officer tabulated the results of votes cast by way of advance poll and absentee ballot. These figures were then reflected in the constituency results concluding the final count. Upon completion of the final count, on July 21, 1999, the constituency returning officer made a Return to the Writ of Election. On August 6, 1999, the Office published in *The Saskatchewan Gazette* (Vol. 95, No. 31) notice of receipt of the Return to the Writ and the name of the candidate elected.

Registered Political Party and Candidate Financial Reporting

Pursuant to section 251 of the Act, audited Registered Political Party's Return of Election Expenses, Form E-524, were required to be filed with the Chief Electoral Officer within six (6) months of polling day (December 29, 1999).

Under section 261 of the Act, candidates were required to file an audited Candidate's Return of Election Expenses, Form E-412, with the constituency returning officer, for subsequent forwarding to the Chief Electoral Officer, within three (3) months of the candidate returned being declared elected (October 11, 1999). Pursuant to the Act, the constituency returning officer published, in prescribed form, a summary of all returns respecting candidate election expenses prior to November 10, 1999.

i) Registered Political Parties

As a southern constituency, the maximum amount of money that could be spent by a registered political party in the Saskatoon Fairview by-election, as set out in section 243 of the Act, was, (a) the sum of $33,435.00 or (b) the sum obtained by multiplying the number of voters in the constituency (9,091) by $2.67, whichever sum was larger. A registered political party that endorsed a candidate who obtained fifteen (15) per cent or more of all valid votes cast in the by-election and whose chief official agent filed a Registered Political Party's Return of Election Expenses,[2] pursuant to section 264 of the Act, was entitled to receive a reimbursement of a portion of its election expenses from the Province's General Revenue Fund. The amount reimbursed to a qualifying political party was the lesser of either (a) $11,145.00 or (b) one third of its election expenses.

All participating parties in the Saskatoon Fairview by-election filed their duly audited Registered Political Party's Return of Election Expenses on or before December 29, 1999. Contributions made to political parties are not listed in the Registered Political Party's Return of Election Expenses but are set out in each party's fiscal period return, filed in accordance with section 250 of the Act. Appendix II sets out a summary of eligible expenses incurred by the registered political parties in Saskatoon Fairview and the amounts paid in respect of each party who qualified for reimbursement.

ii) Candidates

Candidates seeking election in Saskatoon Fairview were limited in the amount of money that they could expend. Again, as a southern constituency, a candidate seeking election was entitled to spend, pursuant to section 252 of the Act, either (a) the sum of $40,122.00 or (b) the sum obtained by multiplying the number of eligible voters in the constituency by $2.67, whichever sum was larger. A candidate who obtained fifteen (15) per cent or more of all valid votes cast in Saskatoon Fairview and whose business manager filed with the constituency returning officer a Candidate's Return of Election Expenses,[3] pursuant to section 265 of the Act, was entitled to reimbursement of a portion of their eligible election expenses. The amount reimbursed to a qualifying candidate was an amount equal to one half of the candidate's election expenses to a maximum of $20,061.00.

All candidates filed their returns respecting contributions received and election expenses incurred in the course of the by-election, duly audited, on or before October 11, 1999. On the 11th of February, 2000, the Office published in *The Saskatchewan Gazette* (Vol. 96, No. 6) a summary of candidate contributions received and expenditures incurred in Saskatoon Fairview, as well as the amounts paid in respect of each candidate who qualified for reimbursement. Such contributions, expenditures and reimbursements are reported in Appendix III.

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[2] Pursuant to subsection 267(3) of the Act, auditing services rendered in respect of preparation of a report pertaining to a Registered Political Party's Return of Election Expenses is eligible for a maximum reimbursable allowance of $2,054.00.

[3] Pursuant to subsection 267(6) of the Act, auditing services rendered in respect of preparation of a report pertaining to a Candidate's Return of Election Expenses is eligible for a maximum reimbursable allowance of $667.00.

Elections Saskatchewan Expenditures

The total cost of conducting the June 28, 1999 by-election in Saskatoon Fairview was $91,337.71. This figure is inclusive of, and reported by, administrative and constituency expenditure. See Appendix IV for an itemization of particular expenditures incurred in each of these two categories. Should further constituency expenditure specifics be required, refer to the Detail of Expenditures *The Election Act, 1996* Provincial Constituencies Fiscal Year 1999-2000, tabled in the Legislative Assembly on October 26, 2000.

Documentation

Pursuant to section 232 of the Act, the Chief Electoral Officer is obliged to hold, in addition to the information contained in the Register of Political Parties, all original financial particulars concerning registered political parties' fiscal period and election expenses documentation for the purposes of public inspection. Also held are the returns and the original financial documentation regarding individual candidate election expenses, pursuant to section 262 of the Act. Such information is available for public inspection during regular office hours at Elections Saskatchewan.

Election Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Writ of Election:		**-34** May 25	**-33** May 26	**-32** May 27	**-31** May 28	**-30** May 29
Minimum Writ Period: (28 days) The minimum number of days between issue of the Writ of Election and Nomination Day is 11 clear days. (The date fixed for issuing the Writ of Election and the date fixed for Nomination Day are to be excluded (clause 31(3)(b) and subsection (4)).						
Maximum Writ Period: (34 days) The maximum number of days between issue of the Writ of Election and Nomination Day is 17 clear days. (The date fixed for issuing the Writ of Election and the date fixed for Nomination Day are to be excluded (clause 31(3)(b) and subsection (4)).						
-29 May 30	**-28** May 31	**-27** June 1	**-26** June 2	**-25** June 3	**-24** June 4	**-23** June 5
	WRIT ISSUES Date of issue of Writ of Election Commence accepting nomination of candidates **Enumeration Schools** s. 31(2), (3)(b), s. 44		Print election Proclamation **Enumeration**		Begin monitoring each enumerator's progress	Last day to post election Proclamation • Returning Officer's Office • Post Offices in constituency s. 34(3)
-22 June 6	**-21** June 7	**-20** June 8	**-19** June 9	**-18** June 10	**-17** June 11	**-16** June 12
Check completed E-200A and begin data entry of preliminary voters' lists		Photocopy secondary voters' lists (E-200) to be distributed to each candidate as available	Enumeration completed, telephone C.E.O. with number of names enumerated	Commence selection of voters to act as deputy returning officers, poll clerks and alternates	Reproduction of secondary Voters' Lists completed (-18) Forward 3 copies (5 copies - Northern constituencies) of each polling division list to enumerator, 10 copies including desk copy to known candidates, 5 copies to C.E.O. s. 25(1)(a), (b), s. 139(5)	**NOMINATION DAY** Facsimile/Telephone C.E.O. re candidates • Furnish to Candidates list of candidates and enumerators s. 31(3)(b) s. 35(3), s. 44(1), s. 51(1)
-15 June 13	**-14** June 14	**-13** June 15	**-12** June 16	**-11** June 17	**-10** June 18	**-9** June 19
Arrange for publication of candidates nominated Arrange for printing of ballots s. 35, s. 51(2)	Secondary Voters' Lists, including list of enumerators, to be publicly displayed in the head office of (rural - each municipality in the constituency or urban - the municipality in which the constituency is situated) and in the constituency Returning Officer's Office (approximately sixteen (16) days before election day) • Commence accepting revisions to the secondary Voters' Lists s. 25(1)(b)		Last day to receive Absentee Voter Applications s. 87(3)	Furnish to deputy returning officers (advance and regular polls) and candidates list of absentee voters to whom ballot paper was forwarded s. 88(3), (5)	**D.R.O. Schools**	
-8 June 20	**-7** June 21	**-6** June 22	**-5** June 23	**-4** June 24	**-3** June 25	**-2** June 26
Election officials and campaign workers should be encouraged to vote at advance poll Last day for applicant voter to receive absentee ballot paper and related materials, if mailed s. 88(2)(b)	Last day for applicant voter to receive absentee ballot paper and related materials, if delivered s. 88(2)(a)	**ADVANCE POLL** **3 p.m. - 10 p.m. C.S.T.** s. 132(a)	**ADVANCE POLL** **3 p.m. - 10 p.m. C.S.T.** s. 132(a)	**ADVANCE POLL** **3 p.m. - 10 p.m. C.S.T.** **REVISION DAY** **2 p.m. - 10 p.m. C.S.T.** s. 26, s. 132(a)	**ADVANCE POLL** **3 p.m. - 10 p.m. C.S.T.** Prepare to receive enumerators' expense claims s. 132(a)	**ADVANCE POLL** **12 noon - 7 p.m. C.S.T.** Deadline for enumerator to deliver official Voters' List to deputy returning officer s. 26(3), s. 132(a)
-1 June 27	**0** June 28	**+1** June 29	**+2** June 30	**+3** July 1	**+4** July 2	**+5** July 3
Receive advance poll voter information and forward to applicable deputy returning officers	**ELECTION DAY** **9 a.m. - 8 p.m. C.S.T.** Ensure arrangements for the display and tabulation of unofficial results Facsimile/Telephone results of election to C.E.O. s. 82	Ensure all ballot boxes and election materials are received from deputy returning officers	Prepare to receive deputy returning officers', poll clerks' etc. expense claims	***CANADA DAY***		Last day for forwarding Imprest Account and related financial materials to C.E.O.
+6 July 4	**+7** July 5	**+8** July 6	**+9** July 7	**+10** July 8	**+11** July 9	**+12** July 10
				12 noon deadline for receipt of absentee voter certificate envelopes (postmarked not later than 8 p.m. on election day) s. 88(5)(b), (c)		**FINAL COUNT** by Returning Officer s. 31(3)(e), s. 145
+13 July 11	**+14** July 12	**+15** July 13	**+16** July 14	**+17** July 15	**+18** July 16	**+19** July 17
	Collection of ballot boxes and election materials by C.E.O. • Vacate office space		Last day to request a recount or an addition 156(2)(c)			
+20 July 18	**+21** July 19	**+22** July 20	**+23** July 21	July 22	July 23	July 24
			RETURN TO THE WRIT Forward election Return and other documents to C.E.O. s. 31(3)(f), s. 171			

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Vote Summary by Constituency Polling Division: Saskatoon Fairview

Appendix I

Poll No.	Polling Location Name	Eligible Voters	Votes Cast For: Barry Anderson L.	Chris Axworthy N.D.P.	Neil Sinclair NGA	Harry Meyers Sask.	Ballots: Total Counted	Rejected
1	Confederation Park School	414	14	74	1	34	123	1
2	Confederation Park School	183	13	10	2	12	37	-
3	Bishop Roborecki School	196	1	45	2	19	67	1
4	Confederation Park School	322	8	71	3	19	101	-
5	Confederation Park School	222	7	60	1	9	77	-
6	Bishop Roborecki School	250	8	43	2	11	64	-
7	Bishop Roborecki School	329	10	66	2	31	109	-
8	Bishop Roborecki School	256	5	53	6	12	76	1
9	Confederation Park School	338	11	80	1	16	108	2
10	Father Vachon School	289	6	55	1	11	73	1
11	Bishop Roborecki School	315	13	80	2	25	120	-
12	Bishop Roborecki School	285	4	49	1	15	69	-
13	Father Vachon School	278	3	46	7	22	78	-
14	Father Vachon School	336	2	65	1	15	83	-
15	Father Vachon School	298	15	64	-	13	92	-
16	Lester B. Pearson School	277	6	66	3	6	81	-
17	Lester B. Pearson School	284	3	56	2	20	81	-
18	Father Vachon School	311	12	65	3	21	101	-
19	Lester B. Pearson School	281	5	73	4	24	106	-
20	Father Vachon School	301	9	70	4	18	101	-
21	Lester B. Pearson School	307	18	62	1	21	102	-
22	Lester B. Pearson School	246	9	56	-	12	77	-
23	James L. Alexander School	320	19	46	3	21	89	-
24	James L. Alexander School	251	21	37	-	20	78	-
25	James L. Alexander School	319	15	60	5	37	117	-
26	James L. Alexander School	249	20	53	3	22	98	-
27	St. Marguerite School	322	13	43	4	18	78	1
28	James L. Alexander School	280	19	41	1	21	82	-
29	St. Marguerite School	346	13	56	2	28	99	2
30	St. Marguerite School	280	13	38	2	14	67	-
31	St. Marguerite School	202	15	26	1	11	53	-
	Parkridge Centre	204	2	11	-	6	19	-
	St. Marguerite School Advance		22	148	-	33	203	-
	Absentee Ballots		1	3	-	-	4	-
	Totals	9,091	355	1,871	70	617	2,913	9
	Candidate Elected - Chris Axworthy							
	Plurality	1,254						
	% Who Voted	32.14%						
	% By Party		12.19%	64.23%	2.40%	21.18%		

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Constituency of Saskatoon Fairview

NOTE: SECOND EDITION

CONSTITUENCY BOUNDARIES ARE DRAWN PURSUANT TO THE REPRESENTATION ACT, 1994 PUBLISHED BY THE CHIEF ELECTORAL OFFICER URBAN MUNICIPAL BOUNDARIES AS OF JULY 1, 1993

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Base/Geomatics Division

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Summary of Expenses Incurred and Reimbursements Paid: Registered Political Parties

Registered Political Party	Maximum Expenses Allowable	Petty Expenses	Hire of Premises	Advertising
Liberal	33,435.00	–	–	–
New Democratic Party (N.D.P.)	33,435.00	40.63	–	–
New Green Alliance (NGA)	33,435.00	–	–	–
The Saskatchewan Party	33,435.00	–	–	–
Totals	133,740.00	40.63	–	–

(a) Unpaid claims, if paid, are included in the total of expenses used for the calculation of reimbursement; disputed claims are not.
(b) Party failed to qualify for reimbursement pursuant to subsection 264(1) of *The Election Act, 1996*.

Services	Goods Supplied	Travel and Hire of Vehicle	Unpaid or Disputed Claims(a)	Total of Expenses	Amount of Reimbursement
500.00	–	–	–	500.00	(b)
–	–	301.31	–	341.94	113.98
–	–	–	–	–	(b)
–	–	–	–	–	–
500.00	–	301.31	–	841.94	113.98

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Summary of Contributions Received, Expenses Incurred and Reimbursements Paid: Candidates and Business Managers

Candidate	Contributions Received	Maximum Expenses Allowable	Candidate's Personal Expenses(a)	Candidate's Campaign Expenses	Petty Expenses	Hire of Premises
Saskatoon Fairview						
(Eligible Voters - 9,091)						
Barry Anderson (L.)	17,429.54	40,122.00	–	–	–	1,879.56
Chris Axworthy (N.D.P.)	35,166.66	40,122.00	–	–	873.78	909.50
Neil Sinclair (NGA)	214.20	40,122.00	–	–	–	–
Harry Meyers (Sask.)	13,011.79	40,122.00	–	–	296.94	1,391.66
Totals	65,822.19	160,488.00	–	–	1,170.72	4,180.72

(a) Candidate's personal expenses are not included in the total of expenses.
(b) Unpaid claims, if paid, are included in the total of expenses used for the calculation of reimbursement; disputed claims are not.
(c) Candidate failed to qualify for reimbursement pursuant to subsection 265(1) of *The Election Act, 1996*.

Advertising	Services	Goods Supplied	Travel and Hire of Vehicle	Unpaid or Disputed Claims(b)	Total of Expenses	Amount of Reimbursement
3,013.17	8,705.13	3,582.45	–	–	17,180.31	(c)
2,793.77	18,765.45	8,530.61	–	–	31,873.11	15,936.56
–	4.00	210.20	–	–	214.20	(c)
–	1,300.34	5,354.37	–	4,116.34	12,459.65	6,229.83
5,806.94	28,774.92	17,677.63	–	4,116.34	61,727.27	22,166.39

Elections Saskatchewan Expenditures

By-Election: Constituency of Saskatoon Fairview

I.	Elections Saskatchewan	
	A) Administration	
	(i) Advertising	$23,752.63
	(ii) Information Technology	150.00
	(iii) General Contractual Services	205.33
	(iv) Postal/Courier/Freight	21.10
	(v) Travel/Business	652.70
	B) Registered Political Parties	
	(i) Reimbursement of Registered Political Parties' Election Expenses	113.98
	(ii) Reimbursement of Auditors' Fees	1,016.50
	Elections Saskatchewan Expenditure	$25,912.24
II.	Constituency	
	A) Election Officials	
	(i) Returning Officer	$ 4,340.00
	(ii) Election Clerk	3,000.00
	(iii) Enumerators	7,847.90
	(iv) Polls (Officials/Rental of Space)	13,610.00
	B) Administration	
	(i) General Contractual Services	1,612.04
	(ii) Rent of Ground/Buildings/Office Space	1,962.61
	(iii) Rental of Office Equipment	1,249.72
	(iv) Telephones	727.64
	(v) Information Technology	808.00
	(vi) Miscellaneous Materials/Supplies	38.76
	(vii) Advertising	2,705.89
	(viii) Printing/Duplicating (Ballots/Proclamation/Voters' List)	3,027.20
	C) Candidates	
	(i) Reimbursement of Candidates' Election Expenses	22,166.39
	(ii) Reimbursement of Auditors' Fees	2,322.00
	(iii) Interest	7.32
	Constituency Expenditure	$65,425.47
	Total By-Election Expenditures	**$91,337.71**

Eligible Voters 9,091
Cost Per Voter $10.05 (10.047047)

Community		
Saskatoon	City	